DOCUMENT RESUME

ED 126 385 CG 010 674

AUTHOR	Hutchinson, Myra, Ed.
TITLE	Student Rights and School Discipline: Bibliography.
INSTITUTION	Michigan Univ., Ann Arbor. Project for the Fair Administration of Student Discipline.
SPONS AGENCY	Office of Education (DHEW), Washington, D.C.
PUB DATE	Dec 75
GRANT	OEG-077507318
NOTE	64p.
EDRS PRICE	MF-$0.83 HC-$3.50 Plus Postage.
DESCRIPTORS	*Annotated Bibliographies; Class Management; Corporal Punishment; Counselor Role; *Discipline; *Discipline Policy; Due Process; *Minority Role; *Resource Materials; Student Records; *Student Rights

ABSTRACT

It is the purpose of this bibliography to provide educators with ready access to resources that will assist them in the task of evaluating the total setting in their individual schools and that will suggest alternatives to present practices. The materials have been divided into three major categories dealing with the disciplinary setting of the school, racial, cultural and other factors which affect that setting, and students' rights within the educational system. This categorization is intended to facilitate usage by grouping similar types of materials together but it is hoped that users will keep in mind the close interrelationships that exist among all these factors. The materials cited here cover a time period from 1968 to the present, thus including developments resulting from the landmark Tinker case, the early stages of recognition of students' constitutional rights within the educational setting. Users should evaluate materials with the awareness that statements made in earlier materials may be affected or outdated by recent court decisions and legal developments. Understanding of two recent significant cases (Goss v. Lopez; Wood v. Strickland -- Section III.A.1 & 2) may prove helpful in evaluating materials. (Author)

****
* Documents acquired by ERIC include many informal unpublished *
* materials not available from other sources. ERIC makes every effort *
* to obtain the best copy available. Nevertheless, items of marginal *
* reproducibility are often encountered and this affects the quality *
* of the microfiche and hardcopy reproductions ERIC makes available *
* via the ERIC Document Reproduction Service (EDRS). EDRS is not *
* responsible for the quality of the original document. Reproductions *
* supplied by EDRS are the best that can be made from the original. *
****

STUDENT RIGHTS AND SCHOOL DISCIPLINE

BIBLIOGRAPHY

ED126385

U S DEPARTMENT OF HEALTH
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL NATIONAL INSTITUTE OF EDUCATION POSITION OR POLICY

Prepared by
Project for the Fair Administration
of Student Discipline
The University of Michigan
Ann Arbor, Michigan
1975

STUDENT RIGHTS AND SCHOOL DISCIPLINE

Bibliography

Editor

Myra Hutchinson

Research Staff

Marvel Burke
Lani Cass
Harvey Mentser

Project for the Fair Administration
of Student Discipline
The University of Michigan
Ann Arbor, Michigan

December 1975

The information presented herein was developed pursuant to a grant (#G 077507318) from the U.S. Office of Education, Department of Health, Education, and Welfare. However, the contents and opinions expressed herein do not necessarily reflect the position or policy of the United States Office of Education and no endorsement should be inferred.

The Project for the Fair Administration of Student Discipline is funded under Title VII of the Education Amendments of 1972 (P.L. 92-318) as amended by the Education Amendments of 1974 (P.L. 93-380). Its primary function is to work with selected school districts in determining the causes of disproportionate minority discipline and developing programs to decrease the disproportionate numbers of minority students affected by suspension and other disciplinary actions. The Project's activities include evaluating discipline data collection systems; surveying the attitudes of students, parents, and school personnel toward their school's discipline system; reviewing discipline policies for legality, clarity, and comprehensiveness; planning workshops for community and school, based on needs determined through research, to broaden awareness of the existence of and solutions to problems related to discipline; and making available informational materials that will help educators better serve their schools.

More detailed information about the Project is available on request. Inquiries should be directed to:

Junious Williams, Associate Director
Project for the Fair Administration
of Student Discipline
1046 School of Education
The University of Michigan
Ann Arbor, MI 48104

(313) 763-9913

Project Staff

Charles D. Moody, Director
Junious Williams, Associate Director
Charles Vergon, Special Assistant to the Director

E. Daniel Ayres, Research Associate
Robert Black, Research Assistant
Lamont Buffington, Law/Policy Analyst
James Gleeson, Field Services Coordinator
Daniel Harper, Community Aide Liaison
Jake Hill, Community Aide Liaison
Van Hindes, Community Aide Liaison
Myra Hutchinson, Information/Publications Officer
Emily Iglehart, Secretary
Dovie Wooten, Secretary

CONTENTS

	Page
Introduction	i
SCHOOL DISCIPLINE	
Theories of Discipline	1
School Discipline -- General	5
Alternatives to Suspension	9
Classroom Management	10
Role of the Counselor	14
Corporal Punishment	16
Violence/Vandalism	19
RELATED FACTORS IN DISCIPLINE	
Disproportionate Minority Discipline	22
Racial, Cultural, and Socioeconomic Factors	23
Student Alienation/Student Activism	26
STUDENTS' RIGHTS	
Legal and Philosophical Rights	33
Tinker v. Des Moines Independent School District	43
Goss v. Lopez (Due Process)	44
Wood v. Strickland (Administrator Liability)	45
Assuring Due Process	45
Policy Making Guides	50
Student Records	54

INTRODUCTION

Many factors go into creating the total behavioral setting of a school. Recognizing a student's rights and providing avenues for due process will not alone alleviate behavioral problems. Nor will a better understanding of teacher-student interactions or a definitive list of classroom techniques. Each school's specific situation will be determined by these factors in combination with such things as the responsiveness of the educational system to students' needs and interests, students' equitable treatment by the system, majority and minority interaction patterns, etc.

Of particular concern to PFASD is the discriminatory use of suspensions and other disciplinary actions against minority students. Until recently data has been scarce but figures released by the Office of Civil Rights in 1974 indicate that minority students are suspended and/or otherwise disciplined at a rate approximately twice that of non-minority students. Among the factors creating that disproportion is a lack of understanding among students, teachers, and administrators of the values, needs, and interests of the various ethnic groups within the school and a lack of flexibility in responding to the differences. One of the goals of PFASD is to help decrease the disparities by assisting educators in evaluating the disciplinary practices of their schools for possible bias and becoming sensitized to potential problem areas. It is PFASD's belief that an increased awareness and resulting programmatic changes will help create a setting in which students feel a more integral part of the educational process and which will, in turn, reduce conflict.

It is the purpose of this bibliography to provide educators with ready access to resources that will assist them in the task of evaluating the total setting in their individual schools and that will suggest alternatives to present practices. The materials have been divided into three major categories dealing with the disciplinary setting of the school, racial, cultural and other factors which affect that setting, and students' rights within the educational system. This categorization is intended to facilitate usage by grouping similar types of materials together but it is hoped that users will keep in mind the close interrelationships that exist among all these factors.

The materials cited here cover a time period from 1968 to the present, thus including developments resulting from the landmark Tinker case, the early stages of recognition of students' constitutional rights within the educational setting. Users should

evaluate materials with the awareness that statements made in earlier materials may be affected or outdated by recent court decisions and legal developments. Understanding of two recent significant cases (Goss v. Lopez; Wood v. Strickland -- Section III.A.1. & 2.) may prove helpful in evaluating materials.

Some of the materials cited are available for loan from the PFASD Resource Center. Inquiries are welcomed and should be addressed to:

Myra Hutchinson
Project for the Fair Administration
of Student Discipline
1046 School of Education
The University of Michigan
Ann Arbor, MI 48104

(313) 763-9913

SCHOOL DISCIPLINE

THEORIES OF DISCIPLINE

Booth, James and G. Wayne Shamo. "Punishment: a condition of learning." College Student Journal 6 (April-May 1972): 74-77.

In this study the effects of punishment on the attitudes and performance of students in a public speaking course were examined and procedures outlined. Results showed that the punishment group improved significantly more than the control group, showing, according to the authors, that punishment is an effective condition of learning.

Boyd, John D. and Rolland A. Bowers. "Behavioral analysis: the principal and discipline." Clearing House 48 (March 1974): 420-426.

The purpose of this article is not to present a panacea nor to argue for either the hickory stick or permissivness. Instead, a more reasoned compromise based on some of the psychological principles that govern the development of responsible social behavior is recommended. (Author) *

Cangemi, Joseph P. and Kanwar Habib Khan. "The psychology of punishment and the potential school dropout." Education 94 (November/December 1973): 117-119.

Article focused on the potential school dropout and the implications of using punishment in school activities.

Corey, Gerald F. Teachers CAN Make a Difference. Columbus, OH: Merrill, 1973.

Explores the teacher's role in the students' education by dealing with such issues as reasons why teaching is chosen as a career, the effect on the lives of students of a teacher's search to become a person, and what can be done to make education more humanistic.

*Many of the annotations have been excerpted from ERIC abstracts found in the ERIC publications Current Index to Journals in Education and Resources in Education.

Cumming, Alan. "Discipline: an historical examination." Paedagogica Historica 9 (No. 2): 366-379.

Historical resume of the role of discipline in the educational process.

Discipline and Learning: An Inquiry into Student-Teacher Relationships. Washington, DC: National Education Association, 1975. (ERIC Document Reproduction Service ED 103 988) *

This book approaches the general topic of discipline from a historical perspective and from a contemporary justice, and it shows teachers ways to approach the more serious problems attached to maintaining good discipline in the classroom, as well as ways of helping students arrive at self-discipline. (Author)

"Discipline: the most perplexing subject of all--panel discussion with John Holt, Haim Ginott, Lee Salk and Donald Barr." Teacher 90 (September 1972): 54-56.

Dollar, Barry. Humanizing Classroom Discipline: A Behavioral Approach. New York: Harper and Row, 1972.

Explores techniques for reinforcing correct behavior and discouraging misbehavior. Deals with the concept of punishment and what the student learns from being punished in certain ways.

Ediger, Marlow. "Discipline and learning." Education 93 (February-March 1973): 282-284.

Discipline problems come from all kinds of homes. To minimize classroom problems, teachers should evaluate pupils' objectives, continuously evaluate learning activities, provide reinforcement, and set reasonable standards of conduct.

Ferguson, Edward T. "Classroom control: is discipline really the problem?" American Vocational Journal 47 (April 1972): 36-37.

This article examines the causes of student-teacher conflicts and suggests the need for a more humanizing atmosphere.

*Documents identified thus are available on microfiche through ERIC retrieval centers. Microfiche or paper copies may be purchased from ERIC Document Reproduction Service, P.O. Box 190, Arlington, VA 22210.

Fraser, D. W. "Classroom discipline--a learning package." (ERIC Document Reproduction Service ED 100 930).

This learning package is designed to assist the teacher in understanding and dealing with classroom discipline. Knowledge-based tasks define the term discipline and review nine theoretical principles relevant to resolution of common discipline problems.

Gnagey, Tom. "Let's individualize discipline." Adolescence 5 (Spring 1970): 101-108.

Author makes a case for the need to determine disciplinary measures on the basis of the specific needs and experiences of each individual child if an environment conducive to personal growth and behavior change is to be fostered.

Hansen, J. M. "Discipline: a whole new bag." High School Journal 57 (February 1974): 172-181.

Discusses traditional notions of punishment such as "in loco parentis," developing citizenship, and preparing for the future and suggests ways to approach discipline more realistically within the present social setting. Discipline in the schools must reflect responsibility and integrity of the individual.

Helsel, A. Ray and Donald J. Willower. "Toward definition and measurement of pupil control behaviour." Journal of Educational Administration 12 (May 1974): 114-123.

Pupil control is regarded as an integrative theme to explain the collection of extensive observations made in schools. This report attempts to define and measure pupil control behavior, a companion concept to pupil control ideology. (Author)

Kaplan, Bert L. "Classroom discipline is more than a technique." Elementary School Journal 73 (February 1973): 244-250.

Most disruptions occur in the student's immediate world and angry intervention by the teacher diverts the problem to him/her. Article discusses understanding teachers need of interpersonal interactions and conflict patterns.

Kleining, John. "R. S. Peters on punishment." British Journal of Educational Studies 20 (October 1972): 259-269.

A review of one chapter of Peters' book Ethics and Education. This paper discusses 4 questions: (1) What is punishment; (2) What justifies it; (3) What types of sanctions should be applied in general to breaches of rules; and (4) What punishment should be given for breaking a particular rule?

Lyon, Harold C., Jr. Learning to Feel, Feeling to Learn. Columbus, OH: Merrill, 1971.

Deals with both intellectual and emotional aspects of the student and presents a philosophy for integrating the whole student into the classroom. Presents specific procedures tried by teachers.

Myers, Carmel. "Punishment: problems in definition." Paper presented at American Educational Research Association Annual Meeting (60th, Washington, D.C., March 31-April 4, 1975). (ERIC Document Reproduction Service ED 105 569)

This paper examines the problems in definition of punishment at the construct level, comparing the common use meaning of the term with a behavioral definition and contrasting two definitions used within the field of psychology. (Author)

Palardy, J. Michael and James E. Mudrey. "Discipline: four approaches." Elementary School Journal 73 (March 1973): 297-305.

Discusses four approaches to discipline: the permissive, the authoritarian, the behavioristic, and the diagnostic. Discusses both prevention of behavior problems and dealing with them once they have occurred.

Skinner, B. F. "Contingency management in the classroom." Education 90 (November-December 1969): 93-102.

The educational system does not provide students with adequate incentive to learn and to not disrupt. Skinner describes and advocates operant conditioning techniques.

Stebbins, Robert A. "The meaning of disorderly behavior: teacher definitions of a classroom situation." Sociology of Education 44 (Spring 1971): 217-236.

This study attempted to: (1) form a testable hypothesis from data on ways teachers define disorderly behavior in the classroom, and (2) to substantiate the claim that it is fruitful to study the definition of a situation outside the laboratory.

Stevens, B. J. "Discipline; symposium." Pennsylvania School Journal 122 (November 1973): 58-77.

Notes the problem in defining discipline and includes numerous articles on what various schools are doing to solve their problems.

Sunshine, Phyllis M. Approaches to School Discipline. A Selected Review of the Literature No. 2. Reviews of Research. Baltimore: Maryland State Department of Education, 1973. (ERIC Document Reproduction Service ED 087 084)

This pamphlet first describes the various ways in which discipline can be defined. Two models for dealing with classroom discipline are then presented--psychoanalytic and behavior modification. (Author)

Willower, Donald J., et al. "Custodialism and the secondary school." High School Journal 52 (January 1969): 182-191.

A research study which examined the custodialism of secondary vs. elementary schools. The premise was that larger numbers of secondary students and their greater maturity would pose a greater threat to educators, thus more need for control.

SCHOOL DISCIPLINE -- GENERAL

Ashbaugh, Carl R. "High school student activism: nine tested approaches for coping with conflict situations." Nation's Schools 83 (February 1969): 94-96.

Author examines the practical courses of action available to school personnel during student-school conflicts. The necessity for the establishment and maintenance of open lines of communication both during and after the conflict is stressed.

Barnes, Roland E. Understanding the Nature of Conflict: A Neglected Dimension in Educational Administration. Pittsburgh: Pittsburgh University Center for the Study of Desegregation and Conflict, 1974. (ERIC Document Reproduction Service ED 091 861)

Since conflict may concern goals, roles, or individuals, it is endemic to the decision making process and is particularly evident at the stage of formulating and weighing alternatives. The entire social system of the school may be drawn into or affected by the conflict. If these patterns are free to run their course, the school could quickly enter a state of complete disruption. Fortunately, there are interventions that can affect the course of the conflict and prevent its development into a totally disruptive event. (Author)

Browder, Leslie H., Jr. "Bergen County battle plans: what to do before students demonstrate." Nation's Schools 85 (April 1970): 86-87.

Outlines specific plans for coping with potential student disorder submitted by secondary schools in a New Jersey county.

Discipline Standard in Integrated Schools: Resource Manual. An In-Service Training Program Which Focuses on Assisting Educators of School District 65 to Develop Some Common Understandings About Crucial Integration Issues; School Year 1968-69. Washington, DC: Office of Education, Department of HEW, 1968.

The product of two summer institutes to prepare teachers and administrators for school integration, this report contains a resource manual on "Discipline Standards in Integrated Schools."

Disruptive Students. Albany, NY: New York State Education Department, Bureau of Social Studies Education, 1972.

This report suggests that the school program for disruptive students should be intertwined with the total educational policy and resources of the school district. The report gives several helpful illustrations of how various school districts have tried to deal with disruptive students. (Author)

Fish, Kenneth L. Conflict and Dissent in the High Schools. New York: Bruce Publishing Co., 1970.

A principal deals with the dynamics of high school conflict: past events, school organization, quality of teaching, role of the principal, and attitudes toward conflict, student government, and race relations. Deals with both racial and generational differences and misunderstandings and relevance of school to meet student needs.

House, James and William Miller. Responding to Student Unrest: A Guide for Administrators and Teachers. Salem, OR: Oregon Association for Supervision and Curriculum Development, 1973. (ERIC Document Reproduction Service ED 071 186)

The aim of this essay is to help educators understand, respond to, and survive student militancy. The author analyzes the problem of student unrest; discusses programs for reducing militancy; and explains why student involvement is necessary. (Author)

Howard, Eugene R. and John M. Jenkins. Improving Discipline in the Secondary School. A Catalogue of Alternatives to Repression. An Occasional Paper. Denver, CO: CFK, Ltd., 1970. (ERIC Document Reproduction Service ED 087 090)

The usual approach to improving discipline in the schools is the repressive approach -- more rules, stricter enforcement, suspensions of privileges. This paper is designed to serve the educator who wants to take positive rather than negative steps towards improving school discipline. Three major pieces of the environment are considered here -- the belief and value system of the school, the school's communications system, and the manner in which decisions are made within the institution. (Author)

Institute for the Development of Educational Activities. Dissent and Disruption in the Schools: A Handbook for School Administrators. Ohio: Institute for the Development of Educational Activities, 1969.

A handbook for educators to use in dealing with dissent and disruption in public schools. Suggests policies and outlines specific emergency procedures for handling demonstrations, orderly or violent.

Ladd, Edward T. Student Rights and Discipline. Arlington, VA: National Association of Elementary School Principals, 1975.

Discusses roles of teachers and administrators in discipline and describes various courses of action for dealing with both major and minor offenses.

McCaffery, James F. and Daniel S. Turner. "Discipline in the innovative school." Education Digest 36 (October 1970): 16-19.

Advocates modular class scheduling but discusses the discipline problems inherent in such a plan and how to deal with them.

Shuttleworth, John and Norman Evans. "Why a principal must be a supervisor." School Management 18 (May 1974): 46, 50, 64.

Discusses the relationship between administrative supervision and total school discipline.

Smith, David H., ed. Disruptive Students. Albany: New York State Education Department, Bureau of School Social Services, 1973.

A committee was formed to explore ways of helping school districts develop more effective programs for disruptive students. Topics dealt with range from descriptions of the scope, identification, prevention, and legal aspects of this behavior to the security measures needed to prevent such behavior. (Author)

Wildman, Louis. Disciplinary Problems in Urban Ghetto Schools. Seattle: School Information and Research Service, 1971. (ERIC Document Reproduction Service ED 055 142)

In this article are described the group dynamics of the inner city school by focusing on hypothetical examples of teacher peer group and student peer group support. Also included is a discussion of possible ways for improving the educational environment. (Author)

Willower, Donald J. The School and Pupil Control Ideology. University Park, PA: Pennsylvania State University, 1967.

A research study which examined the elements contributing to a school's pupil control ideology. Both custodial and humanistic orientations are explored and study examines several hypotheses: those directly responsible for students behavior (teachers) would be more custodial than principals and others further removed from the students; teachers become socialized while on the job to more rigid control.

Wittes, Simon, et al. Resources for Social Change II: A Guide for School Administrators. Ann Arbor, MI: University of Michigan, School of Education, 1972. (ERIC Document Reproduction Service ED 069 045)

This manual provides analyses of issues on and examples of programs relevant to contemporary school crises. Five authors comment on the administrator's dilemma in school disruptions; a case study of school disruption and the responses of two school administrators; three major clusters of issues relevant to the state of American secondary education -- racism, organizational structures and processes, and professionalism and accountability, etc. (Author)

Woodbury, Roger and Charles M. Achilles. "Schools and delinquency: where are we going now?" NASSP Bulletin 59 (January 1975): 29-35.

Article sought solutions for helping delinquents overcome their problems by changing their behavior through positive interaction with schools.

Zanella, Richard E. "I never met a student I didn't like." NASSP Bulletin 59 (January 1975): 14-16.

Problem students will respond to liking and respect, says this former assistant principal. He makes several suggestions for being a successful administrator in charge of discipline.

ALTERNATIVES TO SUSPENSION

Allen, Dwight. "New alternatives in education." The Governor's Task Force on Disruptive Youth, Phase II. Tallahassee, FL: Office of the Governor, 1974.

Discusses the use of alternative schools and other programs to meet the needs of disruptive students.

"Alternatives to suspension." Your Schools 6 (May 1975).

Entire issue devoted to reprints of articles on alternative programs, discipline techniques, school leadership, truancy.

"Discipline and student rights." Inequality in Education, July 1975.

Articles dealing with various topics, with emphasis on alternatives to suspension.

Kelley, N. and E. R. Finley. "An alternative to suspension; educational adjustment class." School and Community 60 (April 1974).

Discussion of "educational admustment classes" where disruptive students would receive educational and personal counseling while continuing class assignments.

Stidwelli, Richard E. and Dudley F. Sykes. "The guidance clinic--an alternative to suspension." NASSP Bulletin 56 (April 1972), 64-72.

A guidance clinic program for disruptive students, based on behavior modification theory and positive reinforcement, has proven effective in dealing with junior and senior high school students who ordinarily would be suspended or excluded from school.

"What some school districts are trying as alternatives to suspensions." School Suspensions: Are They Helping Children? Cambridge, MA: Children's Defense Fund, 1975.

Part of a larger work on the overuse of suspensions for handling minor discipline problems and the wide range of students affected by suspensions.

CLASSROOM MANAGEMENT

Alschuler, Alfred and John V. Shea. "The discipline game: playing without losers." Learning 3 (August-September 1974): 80-86.

Specific techniques are presented for improving strained relations between teachers and students.

Banville, Thomas. "23 ways to modify behavior." Instructor 84 (November 1974): 94-95.

This article is about strategy and presents 23 suggestions of what to do to modify student behavior. (Author)

Brown, Duane. Changing Student Behavior; a New Approach to Discipline. Dubuque, IA: Wm. C. Brown, 1971.

The book has a three-fold purpose: (1) to provide the teacher with a means to maintain classroom control while keeping an atmosphere open to maximum academic and personal development; (2) to provide the teacher with a rationale for developing positive behavior patterns; and (3) an attempt to put the teacher's role in proper perspective.

Carnot, Joseph B. "Dynamic and effective school discipline." Clearing House 48 (November 1973): 150-153.

Article analyzed the three most common approaches used by teachers to establish and maintain classroom discipline and considered what must be done to insure good behavior in the classroom.

Clarizio, Harvey F. Toward Positive Classroom Discipline. New York: Wiley, 1971.

Includes learning theory, rewards, modeling, extinction procedures, desensitation to overcome anxieties, a new look at punishment and implementation of positive discipline procedures.

Davis, Jean E. Coping With Disruptive Behavior. Washington: National Education Association, 1974.

Disruptive behavior tends to develop in the classroom when individual roles conflict with one another. Discusses various approaches such as teacher dominant approach, analytic approach, behavioristic approach, student centered approach, and teacher-student interaction.

Discipline in the Classroom. Washington, DC: National Education Association, 1974. (ERIC Document Reproduction Service ED 095 629)

Running through the articles is a common thread: discipline is less of a problem when the instructional content and process are interesting and relevant. However, since some students become discipline problems despite meaningful curriculum, other approaches are suggested. (Author)

Dreikurs, Rudolph. A New Approach to Discipline; Logical Consequences. New York: Hawthorn, 1968.

This book presents and explains some essential principles about behavior of children and youth. Logical consequences of actions are said to express the reality of the social order and to be logically related to the misbehavior from which they arise. Therefore, they are more effective than punishment.

Dunaway, Jean. "How to cut discipline problems in half." Today's Education 63 (September-October 1974): 75-76.

A Memphis, Tennessee teacher relates the beneficial results of a program of requiring smiles from students to begin and end the day, and if not forthcoming, to elicit the smile by touching. Students are 80% Black sixth graders. Two other teachers and a psychiatrist respond to her experience.

Ediger, Marlow. "Discipline and learning." Education 93 (February-March 1973): 282-284.

Author offers suggestions to teachers for minimizing behavioral problems and facilitating learning.

Gaines, Elizabeth. "Afraid to discipline?" Instructor 82 (October 1972): 181.

Describes ways in which new teachers, who are afraid to discipline, can control classroom behavior and achieve a balance between individual development and a structured environment.

Giles, John Robert. "Positive peer culture in the public school system." NASSP Bulletin 59 (January 1975): 22-28.

This article describes a concept of group therapy called Positive Peer Culture. As a technique of behavior modification, it has been used successfully in residential treatment centers for delinquent boys. Now it is being tested for use in public secondary schools.

Glavin, John P. Behavioral Strategies for Classroom Management. Columbus, OH: Merrill, 1974.

Deals with the use of behavior modification to control classroom behavior, including discussion of such techniques as modeling, contingency contracting, peer tutoring, self-management, and social reinforcement.

Gnagey, William J. Maintaining Discipline in Classroom Instruction. New York: Macmillan, 1975. (ERIC Document Reproduction Service ED 104 806)

This document focuses on classroom discipline and how the teacher can maintain an environment that will optimize appropriate learning. Various sections define classroom discipline, describe a number of classroom management techniques, offer suggestions for control techniques, discuss techniques for gaining control over an entire class by successfully disciplining one of its leaders, etc.

Gordon, Thomas. Teacher Effectiveness Training. New York: Peter H. Wyden, 1974.

Deals with, among other things, factors involved in teacher-student relations, dealing with conflict and student problems, and suggestions for better verbal communication and listening skills. Suggests that an effective classroom setting should be neither authoritarian or permissive.

Gray, Jenny. The Teacher's Survival Guide. Belmont, CA: Fearon, 1967.

A manual of instructions for teachers in methods of obtaining good morale and discipline and an atmosphere conducive to good task performance in the classroom.

Haring, Norris G. and E. Lakin Phillips. Analysis and Modification of Classroom Behavior. Englewood Cliffs, NJ: Prentice-Hall, 1972.

Discussion of how to observe and measure behavior, how to judge response to classroom environments, how to determine academic skills and rates of accomplishment, and how to plan specific behavioral objectives.

Koonin, Jacob Sebastian. Discipline and Group Management in Classrooms. New York: Holt, Rinehart, and Winston, 1970.

A study of techniques of group management in the classroom using videotaped classroom sessions. Good classroom management correlated positively with teacher communicating awareness of what is going on, ability to handle two events simultaneously, smoothness of transition of activities, maintaining group focus, providing variety and challenge.

Koppel, Dale. "Mishandling of discipline problems." Education. 92 (November-December 1972): 182-184.

Author discusses class punishment such as the repeated writing of "I promise to behave" sentences.

Langenbach, Michael and George A. Letchworth. "Disciplinary Techniques: Repertoires and Relationships." Paper presented at AERA annual meeting, New York, 1971. (ERIC Document Reproduction Service ED 049 178)

A total of 300 elementary and secondary public school teachers were surveyed in order (1) to develop a taxonomy of disciplinary techniques that is both quantitative and qualitative; and (2) to compare the relationship of teachers' disciplinary repertoires with type of school (urban, suburban, or rural), age of pupils, and teacher experience.

Marshall, Hermine H. Positive Discipline and Classroom Interaction: A Part of the Teaching-Learning Process. Springfield, IL: Thomas, 1972.

Discipline problems can best be seen in the context of the total teaching-learning process. Discusses program planning, atmosphere of trust, and methods of isolating causes and finding solutions to misbehavior.

Morreau, Lanny E. Behavioral Management in the Classroom. New York: Appleton-Century-Crofts, 1972.

A programmed text in behavioral management aimed at in-service teachers. Intended to train teachers to accurately define the behavior of students and to use certain methods to modify undesirable behavior patterns of students.

O'Keefe, Maureen and Marlow Smaby. "Seven techniques for solving classroom discipline problems." High School Journal 56 (January 1973): 190-199.

Discusses positive reinforcement, extinction, contingency management, negative practice, pairing, punishment, time out and systematic exclusion and behavior contracts as means to classroom control.

Sarason, Irwin G. and Barbara R. Sarason. Modeling and Role-Playing in the Schools: A Manual with Special Reference to the Disadvantaged Student. Los Angeles: Human Interaction Research Institute, 1973. (ERIC Document Reproduction Service ED 097 394)

Modeling is a process by which responses are acquired through observing the behavior of someone else (the model). When people role-play they enact social roles other than their own. This manual was written to help school personnel use modeling and role-playing in productive ways. (Author)

Smith, Judith M. and Donald E. P. Smith. Classroom Management. New York: Random, 1970.

Describes the role of the teacher and methods to be used in providing the following necessary conditions for efficient learning: effective learning tasks; a stable environment; opportunity for self-selection of tasks; opportunity for independent work; feedback on achievement and behavior.

Talmage, Harriet. "Encourage self solutions." Instructor 84 (November 1974): 93-94.

An example of a realistic problem and how one teacher successfully moved her students toward resolving themselves. (Author)

Wiener, Daniel N. Classroom Management and Discipline. Itasca, IL: Peacock, 1972.

A psychologist deals with structuring the classroom for disciplined achievement, setting goals and tasks, and proper follow-up and discusses students learning and emotional problems and teachers' personal problems as they relate to classroom discipline.

ROLE OF THE COUNSELOR

Atherley, Robert A. "The counselor and discipline: an expanded viewpoint." Journal of Secondary Education 46 (January 1971): 35-37.

Stresses need for counselor to remain separated from authoritarian role -- either with students as the administrator of discipline or with teachers as the reference for disciplinary measures.

Carey, Richard W. "Student protest and the counselor." Personnel Guidance Journal 48 (November 1969): 185-191.

Student protests indicate in part, ineffective guidance programs. Discusses attitudes and role of youth related to social change. Suggests ways for counselors to rechannel student interests into attempted educational changes.

Long, Thomas. "A challenge: counseling high school disciplinary cases." National Catholic Guidance Conference Journal 15 (Winter 1971): 100-105.

A project is described which provides and evaluates intensive counseling services for those students in the Altoona (Pa.) Area Senior High School who find themselves gravitating toward behavior patterns which, if continued, might lead to disciplinary interruption or termination of their high school experience. (Author)

McGuire, Sister Kenneth. "A look at disciplinary counseling." National Catholic Guidance Conference Journal 14 (Summer 1970): 265-269.

The objective of disciplinary counseling is to achieve a balance of interests of both the individual and the group. (Author)

Rousseve, Ronald. "Reason and reality in counseling the student-client who is black." School Counselor 17 (May 1970): 337-344.

The counselor must demonstrate an understanding awareness of the outlook the client has internalized and must help him scrutinize this outlook critically and make his own decisions about any changes he wishes to make in the interest of greater personal fulfillment. (Author)

Rowe, Wayne and Constance C. Ripstra. "The discipline bag." School Counselor 19 (January 1972): 152-153.

Briefly reviews the relationship between counselor functions and the counselor as disciplinarian, and suggests that while it is easy for the counselor to avoid the role of disciplinarian, it is a self defeating stance since such avoidance will lead others to question counselor utility.

Schmidt, Wesley I. The Counselor's Role in Student Unrest. Springfield, IL: Illinois State Office of the Superintendent of Public Instruction, Department of Pupil Personnel Services, 1969. (ERIC Document Reproduction Service ED 037 756)

The informed counselors have begun to prepare their schools and students for a world of unease by: (1) listening carefully, (2) communicating the real issues; (3) being a sounding board, and (4) maintaining contact with students. When over demonstration seems imminent, a counselor can: (1) establish trust on both sides; (2) define the problem or need; and (3) cause each side to sharpen their definition of goals and objectives.

Waterland, Jean C. "Discipline: the counselor's responsibility." School Counselor 19 (November 1971): 72-77.

CORPORAL PUNISHMENT

"Beating school children: a practice that doesn't improve their behavior or their learning. III -- On the rights of children." American School Board Journal 160 (June 1973): 19-21.

Physical punishment of children is not only inefficient in maintaining discipline, but also harmful. School officials who favor it are often personally frustrated.

"Corporal punishment: the law." NEA Research Bulletin 48 (May 1970): 46-48.

Discussion of the civil and criminal liability of the teacher for the administration of corporal punishment to students.

"Corporal punishment: teacher opinion." NEA Research Bulletin 48 (May 1970): 48-49.

Nationwide sample survey of public school teachers' attitudes toward corporal punishment shows an approval of the judicious use of the disciplinary technique consistent with that expressed in similar surveys over the past decade.

Divoky, Diane. "The case against corporal punishment." Updating School Board Policies 4 (April 1973): 1-4.

Tells why reformers are out to ban the ancient custom of corporal punishment in the schools. Suggests that school boards should scrutinize their policies on discipline now, before potential storms of controversy break out in their communities. (Author)

Ebel, Robert L. "The case for corporal punishment." Paper presented at the Annual Meeting of the American Educational Research Association (60th, Washington, D.C., March 31-April 4, 1975). (ERIC Document Reproduction Service ED 105 596)

A young child who has not been taught to obey the directives of his parents or his teachers is liable to suffer serious consequences in a sometimes hostile environment. Teacher organizations tend to support retention, or reinstitution, of the possibility of using corporal punishment as one means of correction or control. Ultimately, the case for or against corporal punishment must rest on the effect it has on pupil achievement of whatever goals society has set for its schools. (Author)

Hagebak, Robert. "Disciplinary practices in Dallas contrasted with school systems with rules against violence against children." Paper presented at the Annual Convention of the American Psychological Association (80th, Honolulu, Hawaii, September 8, 1972). (ERIC Document Reproduction Service ED 072 870)

Corporal punishment and its implications are discussed in Dallas, where corporal punishment is officially sanctioned as a method of school discipline. But the effectiveness of such punishment is dubious and the potential psychological harm is incalculable.

Hapkiewicz, Walter G. "Research on corporal punishment effectiveness: contributions and limitations. Paper presented at the Annual Meeting of the American Educational Research Association (60th, Washington, D.C., March 31-April 4, 1975) (ERIC Document Reproduction Service ED 10. 739)

A review of research literature reveals that the incidence of corporal punishment has increased over the last twenty years. The incidence of corporal punishment and the absence of research evidence suggest that the justification for corporal punishment may come from such areas as religious beliefs and court decisions. (Author)

Ingraham v. Wright. 498 F.2d 248 (5th Cir. 1974).

Text of a Federal Appeals Court case in which parents sought damages and injunctive relief as to use of corporal punishment in a county school system.

"It's time to hang up the hickory stick." Nation's Schools 90 (November 1972): 8-9.

Study results indicate that physical punishment as a disciplinary measure causes great harm, such as student behavioral problems and potential lasting psychological damage.

Jones, J. William. Discipline Crisis in Schools: The Problem, Causes and Search for Solutions. Education U.S.A. Special Report. Arlington, VA: National School Public Relations Association, 1973. (ERIC Document Reproduction Service ED 082 363)

This report explores the causes of the breakdown in discipline and discusses conflicting viewpoints on what to do about the problem including whether or not corporal punishment should be permitted.

Patterson, Jerry L. "And the beat goes on..." NASSP Bulletin 59 (January 1975): 36-40.

Interest continues to mount on the controversial topic of corporal punishment, but few concrete guidelines exist in most states. This article discusses the questions each educator must ask in regard to corporal punishment.

Queer, Glenn E. Discipline Study. Pittsburgh: Pittsburgh Public Schools, Office of Research, 1971. (ERIC Document Reproduction Service ED 063 660)

This report discusses a study designed to elicit opinions from Pittsburgh School District principals, parents, and teachers concerning corporal punishment and other disciplinary action.

Reitman, Alan, et al. Corporal Punishment in the Public Schools. The Use of Force in Controlling Student Behavior. ACLU Reports. New York: American Civil Liberties Union, 1972. (ERIC Document Reproduction Service ED 066 813)

This report has been prepared to increase the general awareness of how serious a problem corporal punishment can be and also to contribute some possible corrective steps. (Author)

Report of the Task Force on Corporal Punishment. Washington, DC: National Education Association, 1972. (ERIC Document Reproduction Service ED 070 173)

The contents include (1) findings on the use and effect of physical punishment, (2) some suggested alternatives to the use of physical punishment, (3) recommendation, and (4) a proposed model law outlawing corporal punishment.

Wright, Robert B. "Discipline or corporal punishment." Education 90 (September-October 1969): 69-71.

Article relates the evolution of attitudes toward the role of corporal punishment in the educational system. The author stresses the differentiation between corporal punishment as an act of discipline devoid of educational value and the modern educational viewpoint of discipline as a teaching technique.

VIOLENCE/VANDALISM

Bailey, Stephen K. Disruption in Urban Public Secondary Schools. Final Report. Syracuse, NY: Syracuse University Research Corporation, 1970. (ERIC Document Reproduction Service ED 041 186)

In the spring of 1970, the Policy Institute of the Syracuse University Research Corporation was asked to investigate the causes of violent unrest and educational disruption in a fair sample of the nation's urban high schools, and to identify strategies that appeared to be successful in mitigating the worst of the troubles. This report is the result of an in-depth analysis.

Berger, Michael Louis. Violence in the Schools: Causes and Remedies. Fastback No. 46. Bloomington, IN: Phi Delta Kappa Educational Foundation, 1974. (ERIC Document Reproduction Service ED 098 273)

The concern here is to assess the probable causes of violence and to offer possible remedies for them. It might be said that the schools contribute to their own problem of crime and violence in three areas: governance, interpersonal communication, and leadership. We must concentrate our greatest efforts on changing the values and attitudes of those who attend and manage our schools. (Author)

Clement, Stanley L. "School vandalism -- causes and cures." NASSP Bulletin 59 (January 1975): 17-21.

Vandalism is only part of the larger society's ills, says this writer. The solution will depend on how effectively the school can involve students and the whole community in combating it.

Colver, Arthur C. and James P. Richter. "'Yes' to a self-directive day. Focus on high schools." Phi Delta Kappan 53 (October 1971): 111-112.

Describes how Niles Township High School's self-directive contracts with students have cut down incidents of vandalism and disruptive behavior. (Author)

"Conflict and violence in California schools: the causes of violence." California School Boards 33 (September 1974): 9-15.

Examines theories about the causes of violence in the schools. (Published by: California School Boards Association, 800 9th Street, Suite 201, Sacramento, CA 95814.)

Danger -- School Ahead: Violence in the Public Schools. Washington, DC: National Education Association, 1975. (ERIC Document Reproduction Service ED 104 005)

This report describes a study of violence in the schools of Compton, California. The study team examined the economic and social environment of the community and how that environment contributes to an atmosphere of neglect and unrest in the area's schools.

Furno, O. F. and L. B. Wallace. "Vandalism! Recovery and prevention." American School and University 44 (July 1972): 19-20.

Outlines ways used by cities across the nation to fight increased school vandalism. (Author)

Grealy, Joseph I. "How can school security be strengthened?" Paper presented before American Association of School Administrators Annual Convention (106th, Atlantic City, New Jersey, February 22-26, 1974). (ERIC Document Reproduction Service ED 087 115)

The author suggests that a guarantee against vandalism can be affected by selecting a person who has the background ability to organize a system that will guarantee the safety and security of people and property. Such a person will not only help school administrators avoid frustrating and disruptive situations, but will also have funds that are being drained from budgets as a result of acts of vandalism. (Author)

Ornstein, Allan C. "On high school violence: the teacher-student role." Journal of Secondary Education 45 (March 1970): 99-105.

Student must be given a voice in the operations of their schools. Much of the current violence is an expression of frustration with an establishment that gives no recognition to their needs.

Our Nation's Schools -- A Report Card: "A" in School Violence and Vandalism. Preliminary Report of the Subcommittee to Investigate Juvenile Delinquency, Based on Investigations, 1971-1975. Washington, DC: Congress of the United States, Senate Committee on the Judiciary. (ERIC Document Reproduction Service ED 104 006)

A questionnaire designed to obtain categorized information about the extent and scope of violence, vandalism, and dropouts was sent to the superintendents of 757 school districts with an enrollment of 10,000 or more pupils ranging from grades K-12. In addition, the subcommittee corresponded with 50 school security directors requesting any available information they desired to contribute. This report discusses the information obtained from these sources, together with various additional studies of school violence and vandalism.

Powell, John W. "School security: an emerging professionalism." American School and University 44 (July 1972): 12-15.

Traces the growth of a professional approach to security problems as student criminal actions mount. (Author)

The Problem of Discipline/Control and Security in Our Schools. Position Paper, Number I. New York: National Urban League, 1971. (ERIC Document Reproduction Service ED 069 827)

A survey in the fall of 1969 revealed that of the 51 major cities which responded to a questionnaire, only four did not employ their own security officers or use city policemen in daily school operations. It is contended that it is impossible for a favorable climate for learning to be established within this type of environment.

Safe Schools Act. Hearing before the General Subcommittee on Education of the Committee on Education and Labor, House of Representatives, Ninety-Third Congress, First Session on H.R. 2650. Washington, DC: Congress of the United States, House Committee on Education and Labor, 1973.

This pamphlet contains the text of and hearings on a House bill for improving the security of schools.

Slater, Jack. "Death of a high school." Phi Delta Kappan 56 (December 1974): 251-254.

As a result of violence, vandalism, drugs, and interracial conflict, traditional concepts of high school education are changing.

"Violence in the schools: everybody has solutions." American School Board Journal 162 (January 1975): 27-37.

Reports results of a mail survey on the best solutions to crime and violence in schools and presents a variety of proposals by individuals concerned with the problem.

Younger, Avelle J. The Control of Student Behavior. Topeka, KS: National Organization on Legal Problems of Education, 1974. (ERIC Document Reproduction Service ED 090 620)

Administrators are concerned about the upsurge in vandalism and gang violence. The need is recognized for some changes in existing laws which will give administrators and peace officers more powers to respond to the manifestations of violence. (Author)

RELATED FACTORS IN DISCIPLINE

DISPROPORTIONATE MINORITY DISCIPLINE

Children Out of School in America. Cambridge, MA: Children's Defense Fund, 1974.

Discusses factors such as poverty, rural life, pregnancy, marriage, etc. which keep children out of school, as well as exclusion of children with special needs. Deals with factors of racial discrimination in the use of suspensions.

Clarke, Lillian W. "Race and suspensions in New Orleans." Integrated Education 11 (May-June 1973): 30-33.

Analyzes some of the findings of the New Orleans Parish Superintendent's Task Force on Suspensions, which was to examine the existing operating procedures based on state law and board decisions, and develop a set of policy recommendations.

"Discipline and student rights." Inequality in Education. July 1975.

Numerous articles dealing with, among other things, search and seizure and alternatives to suspension. Describes Dallas Independent School District court case in discussing the effect of racism on discipline.

Hall, Leon. "Report on school 'push out' phenomenon." The Governor's Task Force on Disruptive Youth, Phase II. Tallahassee, FL: Office of the Governor, 1974.

Discusses the plight of black students who offend the status quo of the white middle class dominated schools.

Hawkins v. Coleman, 376 F.Supp. 1330 (N.D. Texas, 1974).

A court case dealing with disproportionate minority discipline.

"Racial discrimination in the use of suspensions." School Suspensions: Are They Helping Children? Cambridge, MA: Children's Defense Fund, 1975.

Discusses disproportionate black suspension rates and the ways in which suspensions are used as an additional tool of discrimination.

Student Displacement/Exclusion: Violations of Civil and Human Rights. Washington, DC: National Education Association, 1973.

Collection of articles dealing with student displacement; negative attitudes in the schools such as racism, sexism, elitism; alienation in the schools; suspensions and expulsions and their frequent results -- drugs, despair, and delinquency.

The Student Pushout; Victim of Continued Resistance to Desegregation. Southern Regional Council and the Robert F. Kennedy Memorial, 1973.

Discusses the frequent use of suspensions in newly desegregated schools as a discriminatory tool and its subsequent effect on educational opportunity for minority students.

Tillman v. Dade County, 327 F.Supp. 930 (S.D. Fla., 1974).

A court case dealing with disproportionate minority discipline.

Thomas, Patricia J., et al. Perceptions of Discrimination in Non-Judicial Punishment. San Diego, CA: Naval Personnel and Training Research Lab, 1974. (ERIC Document Reproduction Service ED 098 480)

Non-judicial punishment is frequently the target of racial discrimination in the military because of the discretion permitted those reporting and disciplining violators. The item responses and the written comments revealed that blacks believed they were being discriminated against in the areas of job assignments, discipline, and recommendations for advancement. (Author)

RACIAL, CULTURAL, AND SOCIOECONOMIC FACTORS

An Approach to Discipline in the Desegregated School. Raleigh: North Carolina State Department of Public Instruction, Division of Human Relations, 1972. (ERIC Document Reproduction Service ED 099 991)

The discussion centers on the natural barriers such as age, race, and socioeconomic status that hinder successful student-teacher interaction and may contribute to student behavior problems.

Baxter, Katherine, et al. "What we've been through is the introduction: a seminar on racism in education." Integrated Education 12 (November-December 1974): 28-31.

A description of a seminar on various aspects of racism in education, conducted for the white staff of a racially mixed elementary school in Philadelphia.

Bullough, Bonnie. "Alienation and school segregation." Integrated Education 10 (March-April 1972): 29-35.

A research study which links alienation to school with residential segregation and discusses the relationship to educational achievement.

Carter, Robert L. "The legal responsibilities of public schools for dealing with minority group members." Paper presented at Conference on the Disadvantaged (University of Wisconsin, June 8-9, 1967). (ERIC Document Reproduction Service ED 022 805)

This conference paper points out that the public schools are not providing equal educational opportunities. Wherever the educational process permits a differentiation which places Black children at a disadvantage, the public school has failed to meet its constitutional responsibilities in eliminating inequalities. Black children are denied equal opportunities through school attendance and assignment procedures, placement or grouping, and through a differential allocation or resources.

Herriott, Robert E. Social Class and the Urban School: the Impact of Pupil Background on Teachers and Principals. New York: Wiley, 1966.

This school socioeconomic status study examines the interaction between school personnel and students, with particular emphasis given to the influence that the social class composition of pupils in urban schools has upon the school staff. The study thus marks a departure from the traditional research investigating the influence of the school upon pupils of various socioeconomic status; a bi-directional influence is postulated and supported by statistical data.

O'Reilly, Robert P. Racial and Social Class Isolation in the Schools: Implications for Educational Policy and Programs. New York: Praeger, 1970.

An analysis of New York State schools, discussing numerous implications of desegregation, legal factors, and social and ethnic variances on the education of students.

Rajpal, Puran L. "Teacher judgments of minority children." Integrated Education 10 (November-December 1972): 33-36.

Fifty behavior problems were rated according to their seriousness by 100 teachers of grades three through six assigned to elementary schools of Western New York. (Author)

Rist, Ray C. "Race, policy, and schooling." Society 12 (November-December 1974): 59-64.

Policy analysts must reexamine their beliefs on white and nonwhite interaction, the rights of children and the nature of social justice. Discusses assimilationist vs. pluralistic perspectives in education.

Russell, Michele. "Negative attitudes in the schools: racism, sexism, elitism." Student Displacement/Exclusion: Violations of Civil and Human Rights. Washington, DC: National Education Association, 1973.

Discusses the dehumanizing affect of such attitudes on students and the resultant effect on their presence in school.

Schafer, Walter E. Deviance in the Public School -- an Interactional View. New York: Free Press, 1967. (ERIC Document Reproduction Service ED 014 509)

A student is labeled deviant when he violates the norms of the majority social group. This report suggests research should be done to determine the effects of the school's organization, belief system, and norms of the behavior of certain students labeled "deviant."

Stones, Michael E. "School administrator attitudes and racism." Integrated Education 11 (March-April 1973): 54-59.

Reports a study with school principals as respondents in Texas who were white, black, and Chicano. Results indicate that further training, screening, and more research are needed.

Thomas, Arthur E. "Community power and student rights: an interview with Arthur E. Thomas. Harvard Educational Review 42 (May 1972): 173-216.

The author attacks the oppressive atmosphere of the urban school system and its dehumanization of students from disadvantaged groups.

STUDENT ALIENATION/STUDENT ACTIVISM

"Allen looks at high school unrest." Compact 3 (October 1969): 45.

Message of the Commissioner of Education to chief State School officers, proposing specific steps which communities may find constructive in dealing with some of the underlying causes of student unrest. (Author)

Carroll, Jerome F. X. "Understanding student rebellion." Adolescence 4 (Summer 1969): 163-180.

The underlying causes of student rebellion are traced to both the frustration of important human needs by a rigidified educational system and the significant social changes taking place due to the emergence of adolescence as a distinct state of psychological development, strongly influenced by modern communications.

Dodson, Dan W. "Student power as a means to educational change." Integrated Education 8 (November-December 1970): 32-39.

Discusses high school unrest as indicating the need for redistributing power throughout the schools, and the crisis of legitimacy of the schools.

Elseroad, Homer O. Secondary School Student Activism: An Uptight Communication Problem. Rockville, MD: Montgomery County Public Schools, 1970. (ERIC Document Reproduction Service ED 039 536)

Students are demanding a more relevant education, fairer discipline practices, and a greater opportunity to participate in the decision-making processes of their schools. A great deal of student unrest can be attributed to a lack of communication. Therefore, several suggestions are offered to improve the educational climate and better human relations within the schools.

Erickson, Kenneth, et al. Activism in the Secondary Schools: Analysis and Recommendations. Eugene: Oregon University Bureau of Educational Research, 1969. (ERIC Document Reproduction Service ED 027 618)

This booklet analyzes some major causes of activism, with particular attention paid to societal causes, school related causes, and personal causes. Recommendations are made for using student unrest to benefit the educational process.

Fish, Kenneth L. "Coping with student activism in secondary schools." Education Digest 35 (October 1969): 8-11.

A Michigan high school principal discusses preventative measures that can be taken to avoid conflicts between students and the school system, and ways in which principals can act positively to resolve ongoing conflicts.

Gentry, Harold W. and Morrill M. Hall. "Organizational response to student militancy in the secondary schools." High School Journal 54 (February 1971): 297-311.

Suggests that schools must allow student expression and school atmosphere should encourage understanding of current societal issues. Gives numerous suggestions for dealing with dissent positively.

Haake, Bernard and Philip B. Langworthy. Student Activism in the High Schools of New York State. Albany: State University of New York, State Educational Department, 1969. (ERIC Document Reproduction Service ED 030 912)

The purpose of nine regional meetings between New York State Educational Department personnel, educators and students from selected secondary school districts was to obtain information about unrest and the changing expectations of high school students. It was recommended that educators be attuned to the rising expectations of students in initiating improvements in the secondary school system. (Author)

Hartley, Marvin C. and Wayne D. Hoy. "'Openness' of school climate and alienation of high school students." California Journal of Educational Research 23 (January 1972): 17-24.

Study suggests that one possible way to begin to increase the attractiveness of secondary schools is to "open" the climate. (Author)

Heath, Douglas H. "Student alienation and school." School Review 78 (August 1970): 515-528.

Educators have misidentified the crucial determinants of a student's growth, stressing academic excellence at the expense of the student's emotional needs, social ideals and interpersonal skills. (Author)

Herman, Jerry. "Students' rights -- a program that works." Clearing House 48 (September 1973): 54-58.

Article deals with some positive actions that have been taken by the staff, administration, and board of education of Lewiston-Porter Central School of Youngstown, New York in regard to student involvement in the planning process. Specific methods of student involvement were briefly outlined.

Hickerson, Nathaniel. Education for Alienation. Englewood Cliffs, NJ: Prentice-Hall, Inc., 1966. (ERIC Document Reproduction Service ED 029 920)

The public schools do not initiate social change but mirror the social and political framework of the society. The result has been a waste of talent and ability and a loss of dignity and self worth for millions of citizens. Within the context of this analysis, the volume discusses intelligence tests as used in the public schools, formal and informal techniques of alienation, and the curriculum offered to the disadvantaged. Some proposals for reform are presented.

Hobart, Charles. "The implications of student power for high schools." Education Canada 9 (June 1969): 21-32.

The article analyzes the background of college level activism, probes into the sources of student discontent and discusses the ramifications of these factors for high school principals and students."

Hoy, Wayne K. An Investigation of the Relationships Between Characteristics of Secondary Schools and Student Alienation. Final Report. New Brunswick, NJ: The State University of Rutgers, 1971. (ERIC Document Reproduction Service ED 046 060)

Data were collected from students, faculty, and administrators in 45 high schools in New Jersey. From study results, a prototypic high school with a high degree of alienation might be sketched as a school characterized by the following: a more custodial pupil control orientation, a more "closed" organizational climate, a lower percentage of minority students, higher equalized valuation per students, larger and non-urban.

Hrinko, John Joseph. The Effect of Student Rights and Responsibilities Movement on Massachusetts Schools. Ph.D. Dissertation, Walden University, 1974. (ERIC Document Reproduction Service ED 096 565)

The purpose of this study is to show the reactions occurring within public school districts in the Commonwealth of Massachusetts relative to the objectives sought by the youth of the state, including the eradication of the alienation which presently exists between adults and young people. Research findings indicate that administrators of the school systems of Massachusetts are concerned with the students' role in shaping a relevant and sound education, and that the administrators are willing to implement reasonable and mutually agreed upon programs. (Author)

Kunkel, Richard D., et al. "School related alienation: perceptions of secondary school students." Paper presented at the annual meeting of the American Educational Research Association (57th, New Orleans, Louisiana, February 25-March 1, 1973). (ERIC Document Reproduction Service ED 074 092)

Responses to questionnaires administered to 10,000 senior high school students to ascertain their feelings of alienation as related to their schools are presented. The findings included the following: (1) over half of the students

either saw little relationship between what they learn in school and life outside school or find school experience contradictory to out-of-school learning; (2) two students in five stated they were working below their ability in school; they saw teachers doing the planning and telling students what to do; (3) one student in three judged school content as missing the important community problems.

Leeper, Robert R., ed. Humanizing Education: the Person in the Process. Washington, DC: Association for Supervision and Curriculum Development, 1967.

A collection of conference papers focusing on combating the trend toward alienation and depersonalization in our society by stressing the humanization of education, the importance of the individual, and the psychology of self-actualization.

Libarle, Marc. The High School Revolutionaries. New York: Random House, 1970.

A collection of articles written by a sampling of 21 high school radicals from a cross-section of young people interviewed across the United States in 1969, by the two editors of this book. Frank discussions about school and home by black and white, urban and rural students in public and private schools of varying degrees of affluence.

Mann, John S. "The student rights strategy." Theory Into Practice 10 (December 1971): 353-362.

The Student Rights Strategy is a strategy for providing high school people with humanizing experiences. (Author)

Moellenberg, Wayne. "Alienation: some causes and cures." Contemporary Education 42 (October 1970): 21-24.

The article analyzes the consequences of authoritarian teaching methods which contribute to the passivity of the learning process for students. Methods of dealing with the resultant alienation of students are then examined, such as increased student involvement in goal setting and learning situations.

Pfanstiehl, Eliot. "Today's student image: a pragmatic program." NASSP Bulletin 58 (October 1974): 31-40.

This article describes a student services model which, the author says, trains students in effecting change constructively through legitimate channels. Students gain visibility and develop rapport with authority figures.

Rafalides, Madelaine and Wayne K. Hoy. "Student sense of alienation and pupil control orientation of high schools." High School Journal 55 (December 1971): 101-111.

Seeks to study the relationship between student control and student alienation in high schools by evaluating the attitudes of the schools and students to each other.

A Study of Desired Student Involvement in Five Selected Areas of Decision Making in High Schools in Maryland School Systems. Baltimore: Maryland State Department of Education, Division of Research, Evaluation, and Information Systems, 1971. (ERIC Document Reproduction Service ED 075 748)

The purpose of this study was (1) to analyze desired student involvement in five areas of decision making on the high school level; and (2) to determine whether there is a significant relationship between students' perception of participation in specific areas of decision making and designated variables pertaining to socio-psychological characteristics. The following five areas of decision making were studied: student curricula, student-faculty relationships, student governance, student discipline and grievance and student records.

Thomson, Scott D. "An overview of activism." North Central Association Quarterly 43 (Spring 1969): 335-341.

The article stresses the need for schools to provide the alienated student with access to, rather than direct sponsorship of, reformative programs in order to preserve the integrity of the learning process itself, i.e., the free exchange of ideas.

Warner, Richard W. and James C. Hansen. "Alienated youth: the counselor's task." Personnel Guidance Journal 48 (February 1970): 443-448.

Article contends alienation stems from school structure. Theoretical background and cases of alienation in youth are discussed. Implications for counselors and schools are presented, along with recommendations for courses of action. (Author)

STUDENTS' RIGHTS

LEGAL AND PHILOSOPHICAL RIGHTS

Academic Freedom in the Secondary Schools. New York: American Civil Liberties Union, 1968. (ERIC Document Reproduction Service ED 025 027)

A policy statement recommends application of the principles of academic freedom and civil liberties to the secondary schools. Both teachers' and students' rights are discussed.

Ackerly, Robert L. The Reasonable Exercise of Authority. Washington, DC: National Association of Secondary School Principals, 1969. (ERIC Document Reproduction Service ED 040 490)

This booklet was prepared to provide information and guidance for principals and other administrators on their duties and powers as defined by recent court decisions, and to suggest acceptable approaches to reasonable exercise of authority by school officials.

Adams, John Kay. "School ombudsmen explore student rights." Opportunity 2 (April 1972): 24-27.

An account of Dayton, Ohio's Student Rights Center. The number of school expulsions has been substantially reduced by having staff lawyers, parents, and student ombudsmen working with students on their rights and responsibilities.

Blankenburg, Richard M. "Civil rights of public school students." Teachers College Record 72 (May 1971): 495-504.

Court decisions favoring students over school districts are discussed.

Chamberlin, Leslie J. and James L. Niday. "Discipline -- the teacher and the law." Education 90 (November-December 1969): 118-121.

Teachers are liable for any injury suffered by a student during the administration of discipline. For this reason, they should receive in-service training to learn about the charges that can be brought against them.

Chambers, M. M. "Recognition of civil rights of students." Intellect 103 (October 1974): 34-36.

Discussed the rights of students to assemble and speak freely in order to indicate their opinions and dissatisfaction with educational administration as it is practiced.

Clayton, Elwood M. and Gene S. Jacobsen. "An analysis of court cases concerned with student rights 1960-1971." NASSP Bulletin 58 (February 1974): 49-53.

This study identifies and analyzes federal and state court cases relating to the rights of students during the period 1960 to 1971.

Dissent and Discipline in Secondary Schools. Course Materials. Ann Arbor, MI: University of Michigan, Institute of Continuing Legal Education, 1970. (ERIC Document Reproduction Service ED 043 067)

This collection of eight articles focuses primarily on the nature and extent of legal involvement in secondary school dissent and discipline. Articles deal with, among other things, the significance of the Tinker vs. Des Moines School decision (the black arm-band case), and three constitutional theories under which the validity of public school regulations of students' hair styles may be attacked.

Donoghoe, Diane C. "Emerging First and Fourth Amendment rights of the student." Journal of Law and Education 1 (July 1972): 449-467.

The author examines the tendency of the alienated student to indiscriminately attack existent institutions. He suggests ways in which schools can provide outlets for activism without disrupting their basic duty to protect the freedom to study or teach ideas.

"Due process of law in school discipline: recent decisions." Inequality in Education 14 (July 1973): 55-66.

Summarizes and comments on decisions bearing on students' rights to due process of law in school discipline. (Author)

addy, Dale. Rights and Freedoms of Public School Students: Directions from the 1960's. ERIC/CEM State-of-the-Knowledge Series, Number Nine. Topeka, KS: National Organization on Legal Problems of Education, 1971. (ERIC Document Reproduction Service ED 048 666)

This monograph identifies the rights and freedoms of public school students at the secondary and elementary levels, and discusses the legal limitations or modifications that school officials can place on those rights and freedoms. For this paper, the reviewer investigated published and unpublished literature and the pertinent judicial decisions rendered by State and Federal courts between 1960 and 1970. (Author)

lasser, Ira. "Schools for scandal -- The Bill of Rights and public education." Phi Delta Kappan 51 (December 1969): 190-194.

Discusses the unlawful conduct of schools with respect to students' legal rights.

lasser, Ira and Alan Levine. New York Civil Liberties Union Student Rights Project, Report on the First Two Years, 1970-1972. New York: New York Civil Liberties Union, 1972. (ERIC Document Reproduction Service ED 073 524)

This report (1) describes how the project disseminated information about student rights through a student rights handbook, a student rights news serfice, and speaking engagements; (2) outlines the nature of project services that help students obtain their rights; (3) describes procedures for enforcement of student rights; (4) discusses school rights as they were affected by selected areas of school administration; and (5) describes legal and administrative actions the project has pursued in redressing wrongs of particular students.

oldstein, Stephen R. Pupils. Topeka, KS: National Organization on Legal Problems of Education, 1973. (ERIC Document Reproduction Service ED 038 231)

1972 saw important new or renewed developments in several areas of the law concerning pupils. These developments included the educational rights of those who are alleged to be mentally retarded or otherwise mentally handicapped, the rights of girls, and the separation of students in school and school activities on the basis of sex. This chapter, one of seven in the 1973 Yearbook of School Law, explores these and other questions in summarizing and discussing the cases that relate directly to pupils' rights and responsibilities. (Author)

Haberman, Martin. Students' Rights: A Guide to the Right of Children, Youth and Future Teachers. (ERIC Document Reproduction Service ED 070 752)

After a preface in which Judge Robert Landry cites the importance of the Galt Decision, the paper summarizes the rights of students in elementary and secondary schools through case histories. The rights of students in programs of teacher education are then discussed. (Author)

Haney, Gerald L. Student Relationships, Ethical and Legal Implications. Topeka: Kansas State Department of Education, Guidance and Pupil Personnel Services Section, 1971. (ERIC Document Reproduction Service 096 564)

This article discusses the many and varied ethical and legal ramifications implicit in student relationships. (Author)

Haubrich, Vernon and Michael Apple. Schooling and the Rights of Children. Berkeley, CA: McCutchan, 1975.

A collection of articles advocating an open, democratic school policy. A process of conflict resolution is necessary to avoid constant battles over which rights are and are not operative for students.

Hogan, John C. The Schools, the Courts, and the Public Interest. Toronto: D. C. Heath, 1974.

Deals with changing conceptions of the role of the courts in education, factors of race in education and individual rights within the educational system.

Hurwitz, Howard L. The Principal, School Discipline, and the Law. New York: Council of Supervisors and Administrators of the City of New York, 1974. (ERIC Document Reproduction Service ED 098 664)

This booklet seeks to offer hope that teachers' and principals' capacity for the reasonable exercise of authority has not been exhausted. There is a body of legal opinion that supports the authority of the principal in disciplinary matters. (Author)

"A judicial document on student discipline." Educational Record 50 (Winter 1969): 12-20.

The United States District Court for the Western District of Missouri, en banc, issues an order limiting federal judiciary intervention in the educational process to cases where students have been deprived of federally protected rights and privileges.

Kirp, David L. Educational Policy and the Law: Cases and Materials. Berkeley, CA: McCutchan, 1974.

A definitive textbook and/or "casebook" regarding law related to the field of education. Deals with governmental policy, students' rights, equal educational opportunity regarding race, sex, resources and student classification or "ability grouping."

Kleeman, Richard P. Student Rights and Responsibilities: Courts Force Schools to Change. An Education U.S.A. Special Report. Washington DC: National School Public Relations Association, 1972. (ERIC Document Reproduction Service ED 071 171)

This report examines some of the changes taking place in the schools as a result of a growing recognition by the courts, as well as by parents and educators, that "students are persons." The author discusses recent developments affecting student rights, student responsibilities, and student participation in school governance.

Knowles, Laurence W. "Frisking students for drugs: how far can you go?" Nation's Schools 89 (January 1972): 84.

This article discusses legal questions raised by the application of the in loco parentis doctrine to searches and seizures involving students.

Knowles, Laurence W. "Student rights find a friend in court(s)." Education Digest 36 (May 1971): 15-17.

Some recent court actions resulting in favorable decisions for the students involved are discussed.

Ladd, Edward T. "Allegedly disruptive student behavior and the legal authority of public school officials." Journal of Public Law 19, No. 2 (1970): 209-249.

Discusses the legal limits of school officials' control over student behavior.

LaMorte, Michael, Harold W. Gentry, and D. Parker Young. Students' Legal Rights and Responsibilities. Cincinnati: W. H. Anderson, 1971.

A discussion of numerous court cases dealing with dress and grooming, freedom of expression, marriage, secret organizations, search and seizure, and procedural due process.

Levine, Alan. The Rights of Students; the Basic ACLU Guide to Students' Rights. New York: Avon, 1973.

Sets forth students' rights under present law and offers suggestions on how students can protect their rights.

Lines, Patricia N. "Codes for high school students." Inequality in Education 8 (June 1971): 24-35.

Discusses the reason for school codes and their relationship to student rights and responsibilities.

Martin, David V. "The rights and liberties of students." High School Journal 57 (October 1973): 24-38.

Article provided an insight into the problems of students in securing their right to disagree and to freely express themselves.

Nolte, M. Chester, ed. School Communications: Duties and Dangers. A Legal Memorandum. Washington, DC: National Association of Secondary School Principals, 1974. (ERIC Document Reproduction Service ED 089 463)

School administrators face increasing risks in the field of school communications. While a school administrator acting in the line of duty and without malice is protected by conditional privilege against libel and slander, it is easy to step outside this protection, and become liable for false or misleading statements. Knowing the results of the cases cited herein can hopefully prevent some wrong steps. (Author)

Nolte, M. Chester. "Student discipline: the new rules are mostly all for boards. The do's and don'ts of due process, IV." American School Board Journal 159 (October 1971): 38-39.

Describes procedures required of boards of education by the courts in disciplining students.

Pedrini, Bonnie C. and D. T. Pedrini. Simulated Case Study: Student Locker, Search and Seizure, 1974. (ERIC Document Reproduction Service ED 091 847)

The Fourth Amendment to the United States Constitution guarantees the right of people to be secure against unreasonable searches and seizures. The privacy of individuals, including students, is therefore protected, but only after considering the interests of society. This simulated case study explores what happens when there is an alleged conflict between student rights and society rights or between student rights and school rights. (Author)

Pepe, Thomas J. "Student rights: winds of change." NOLPE School Law Journal 3 (February 1973): 17-22.

Discusses court cases affecting student rights.

Phay, Robert E. "The courts and student rights -- procedural matters." Paper presented at National Organization on Legal Problems in Education annual convention (17th, Las Vegas, Nevada, November 10-12, 1971). (ERIC Document Reproduction Service ED 057 495)

This paper traces the evolution of student rights and the judicial protection of these rights through numerous court cases. The author recommends that schools provide a grievance procedure for students and faculty and that they establish written regulations on student conduct as well as written procedures for handling discipline cases.

Piersma, Paul. The Legal Rights of Secondary School Children Charged with an Act of Delinquency or Violation of School Laws. Ann Arbor, MI: ERIC Clearinghouse on Counseling and Personnel Services, 1972. (ERIC Document Reproduction Service ED 063 571)

Part I discusses school roles, regulations, and disciplinary policies. An attempt is made to suggest alternate strategies for dealing with misbehaving and disruptive students to replace the ubiquitous use of suspension and expulsion. Part II deals with the juvenile court process.

"Pupil Conduct, Discipline, and Rights": A Report to the Washington State Legislature by the Subcommittee on Student and Personnel Policies of the Joint Committee on Education. Olympia: Washington State Legislature, 1969. (ERIC Document Reproduction Service ED 056 388)

This report presents commentaries on the legal aspects of student rights and on some of the disciplinary measures utilized by public schools. It proposes legislation designed to assure that schools, in shaping their disciplinary policies, will conform to the framework of existing constitutional law and recent court cases.

The Rights of Children. Reprint No. 9. Cambridge, MA: Harvard Educational Review, 1974. (ERIC Document Reproduction Service ED 097 249)

The collection is divided into three main parts dealing with the following topics: (1) children and the law and the philosophic justifications for the rights of children; (2) advocacy for children; (3) various social agencies and the impact of their policies on children.

Robinson, Donald W. "Is this the right approach to student rights?" Phi Delta Kappan 56 (December 1974): 234-236.

Reports administrator reactions to a sample student code prepared by the Phi Delta Kappan Commission on Administrative Behaviors Supportive of Human Rights.

Schimmel, David and Louis Fischer. The Civil Rights of Students. New York: Harper, 1975.

A discussion of various aspects of student rights such as freedom of press, speech, and association. Also deals with racial and ethnic segregation in schools and sex discrimination in education.

Sealey, Ronald W. "The courts and student rights -- substantive matters." Paper presented at National Organization on Legal Problems in Education annual meeting (17th, Las Vegas, Nevada, November 10-12, 1971). (ERIC Document Reproduction Service ED 057 494)

The question arises as to what causes the various judges to select a particular precedent, as well as criterion, to resolve a student-school authority conflict. The answer might be mitigating and enhancing judicial observations that could be, in fact, reflective of attitudes, philosophies, and other personality dynamics associated with individual judges. More consideration should be given to those cases or laws that arise outside the public school domain but which have relevancy within the public schools in order to properly advise students and others in the educational community. (Author)

Sloan, Irvin J. Youth and the Law; Rights, Privileges, and Obligations. Dobbs Ferry, NY: Oceana, 1970.

A non-technical introduction to a student's legal rights. Deals with general rights, notes the fact that legal developments make it impossible to make definitive statements on the status of students' rights.

Stokes, Ruth. "Student liberties -- student rights." English Journal 63 (December 1974): 22-23.

Certain rights inherently belong to students; they do not have to be earned and cannot be given or taken according to the whims of the administration.

Student Advisory Board. 1972-1973. Harrisburg, PA: Pennsylvania State Department of Education, 1973. (ERIC Document Reproduction Service ED 102 491)

This document contains the reports and final recommendations of committees of the 1972-73 Pennsylvania Student Advisory Board. Established by the State Secretary of Education, the Board provides a forum for high school students to review issues of major concern at the state level and to recommend new ways of dealing with the issues. One of the five reports deals with students' rights and responsibilities. (Author)

Student Behavior; rights and Responsibilities and the Fair Administration of Discipline. Ann Arbor, MI: Program for Educational Opportunity, University of Michigan, 1974.

Proceedings of a conference held by the Program for Educational Opportunity. Presentations deal with the fair administration of discipline; present scope of school authority and student rights; the substantive and procedural issues, and educating the school and community about school authority and student rights.

Student Bill of Rights and Responsibilities: Resource Book for Classroom Use. Philadelphia: Philadelphia School District, 1971. (ERIC Document Reproduction Service ED 096 215)

This publication includes lesson plans designed to help students and teachers explore students' rights and their corresponding responsibilities to others in the school and community. Teaching strategies include role playing, classroom discussion, debates, case studies, and slide shows. (Author)

"Student rights: a classroom simulation." Bill of Rights Newsletter 8 (February 1974): 23-27.

First, Fourth, Eighth, Ninth and Fourteenth Amendment rights of students are described and followed by a role playing simulation for high school students.

Templeton, Ian. Student Rights and Responsibilities. Educational Management Review Series Number 14. Eugene, OR: Oregon University, ERIC Clearinghouse on Educational Management, 1973. (ERIC Document Reproduction Service ED 073 517)

This review of the literature should prove helpful to school administrators in their efforts to stay abreast of judicial limitations on their decision-making authority. In addition to examining court cases affecting student rights, the reviewer touches on literature concerned with student codes and administrative concerns. (Author)

Uviller, Rena K. Legal Rights of Children: Status, Proposals: A Symposium. Fair Lawn, NJ: R. E. Burdick, 1973.

A collection of legal and social science articles which confront major issues in the juvenile justice debate, the controversy stemming partly from the 1967 decision of the Supreme Court to provide children with some of the constitutional rights enjoyed by adults.

Van Alstyne, William W. "A suggested seminar in student rights." Journal of Legal Education, Vol. 21, No. 5: 547-559.

In this article cases are cited to demonstrate that students are using the courts to seek relief from arbitrary rulings of educational institutions. This social development can be expected to modify this area of the law, according to the author, who offers a proposed course outline and bibliography for a possible seminar in this area of the law.

Walden, John C. "Student control problems. Law and the school principal." National Elementary Principal 52 (February 1973): 107-108.

Two court decisions illustrate that school personnel have responsibilities and rights in the area of student control; but courts also are cognizant of the fact that teachers, like other human beings, may err. (Author)

Walden, John C. "The student press. Law and the school principal." National Elementary Principal 53 (March-April 1974): 69-71.

Examines several court cases dealing particularly with censorship and discipline issues arising out of student publications. Makes proposals for "prior submission" rules.

Wise, Arthur E. and Michael E. Manley-Casimir. "Law, freedom, equality -- and schooling. Part One: Definitions and limitations." ASCD Yearbook 1971, pp. 46-73.

A look at the new relationships which the law has prescribed for students, teachers, and administrators. (Author)

Young, D. Parker and Donald D. Gehring. "The other side of the coin: due process." NOLPE School Law Journal 1 (Spring 1971): 32-38.

Discusses court decisions bearing on the right to due process to protect students against arbitrary or capricious academic evaluation.

Yudof, Mark G. "Student discipline in Texas schools." Journal of Law and Education 3 (April 1974): 221-231.

Examines Texas legislation and court cases as well as federal court cases to determine the extent to which students should be afforded constitutional guarantees.

Zimmerman, William G., Jr. "Human rights and administrative responsibility." Phi Delta Kappan 56 (December 1974): 243-247.

School authorities can no longer deny human rights to students on the grounds that to do so makes it impossible to run the school. The evidence indicates that schools become more manageable when students' rights are acknowledged.

Tinker v. Des Moines Independent School District

Deane, Sharon Louise. "The black armbands case: a delicate balance." Paper presented at the Annual Meeting of the Association for Education in Journalism (57th, San Diego, California, August 18-21, 1974). (ERIC Document Reproduction Service ED 095 545)

The Supreme Court in its landmark decision of 1969, "Tinker vs Des Moines Independent School District," affirmed the Court's protection of free speech unless such expression is likely to produce "clear and present danger" of serious harm. Total clarity concerning the principles established in "Tinker" has not been reached, but it is hoped that these standards will be affirmed in future court decisions and clarified in the process. (Author)

Klahn, Richard P. "The Tinker case: a principal's view two years later." NASSP Bulletin 55 (February 1971): 69-73.

A school administrator speaks of the delicate balance between protection of student constitutional rights to free expression and assertion of the in loco parentis doctrine following the Supreme Court's ruling in Tinker v. Des Moines Independent School District.

Olson, Ronald K. "Tinker and the administrator." School and Society. 100 (February 1972): 86-89.

A discussion of the 1969 Supreme Court decision; "where students in the exercise of First Amendment rights collide with the rules of school authorities," who must yield? (Author)

Reutter, E. Edmund, Jr. "Rules governing students." IAR Research Bulletin 13 (April 1973): 1-2, 13-14.

Summarizes the implications of the Tinker case and explores the extent to which the law permits school authorities to regulate student appearance. (Author)

Goss v. Lopez (Due Process)

Anson, Ronald J. "The educator's response to Goss and Wood." Phi Delta Kappan 57 (September 1975): 16-19.

Discussion of the effects of the Goss and Wood decisions upon the educator's control of the disciplinary process. The decisions require that disciplinary actions be fair and responsible but do not necessarily mean that professional discretion is being eroded.

Anson, Ronald J. Students' Rights to Due Process: Professional Discretion and Liability Under Goss v. Lopez and Wood v. Strickland. In press.

Goss v. Lopez. 95 S.Ct. 729 (1975)

On January 22, 1975, the Supreme Court decided that students facing temporary suspension from a public school have property and liberty interests that qualify for protection under the Due Process Clause of the Fourteenth Amendment. Further, due process requires, in connection with a suspension for up to 10 days, that the student be given oral or written notice of the charges against him.

Nolte, M. Chester. "The Supreme Court's new rules for due process and how (somehow) schools must make them work." American School Board Journal 162 (March 1975): 47-49.

Discusses the U.S. Supreme Court's ruling in Goss v. Lopez that public schools may not suspend a student for 10 days or less without giving him advance notice of the charges against him and allowing him to respond to the charges.

Wood v. Strickland (Administrator Liability)

"The first tremors of Wood vs. Strickland." American School Board Journal 162 (May 1975): 13-14.

Schoolmen fear that the Wood v. Strickland decision will spark increasing costs and attorney involvement and have a significant impact on day-to-day school board operations. (Author)

Nolte, M. Chester. "School boards: your authority has just been restricted; school board members: your security has just been threatened." American School Board Journal 162 (April 1975): 33-35.

Discusses the U.S. Supreme Court's recent ruling in the Strickland case that school board members must know the "basic, unquestioned constitutional rights" of all students and that individual board members may be liable to damage suits filed by students whose rights have been violated.

Wood v. Strickland. 95 S.Ct. 992 (1975)

Three Arkansas high school students were expelled for violating a school regulation prohibiting intoxicating beverages at school activities. The students brought suit in U.S. District Court claiming violation of their rights to due process. The district court directed verdicts for the school board on the ground that school officials are immune from damage suits except in cases of proved malice or ill will. The court of appeals reversed the district court ruling. The Supreme Court agreed with the court of appeals that school officials are immune only if they act in good faith and with proper regard for students' constitutional rights.

ASSURING DUE PROCESS

Boettcher, Brian E. "Is due process changing the role of the assistant principal?" NASSP Bulletin 57 (October 1973): 75-80.

Considered the role of the assistant principal as arbitrator and mediator in conditions requiring measures of discipline.

Brothers, W. Richard. "Procedural due process: what is it? NASSP Bulletin 59 (January 1975): 1-8.

This article suggests guidelines drawn from court rulings, which are reliable indicators of the current status of legal opinion on the subject of procedural due process and the rights it guarantees students.

DeBruin, Hendrik C. "Education and due process." Education 90 (November-December 1969): 174-175.

The rights of students accused of illegal acts are discussed.

Duffee, David. "Due process: can it thrive in a classroom?" Instructor 84 (August-September 1974): 56-58.

Author discussed what due process means, why the concept must be kept alive in the classroom, and gave suggestions for practicing due process in the classroom.

Fischer, Thomas C. Due Process in the Student-Institutional Relationship. Washington, DC: American Association of State Colleges and Universities, 1970. (ERIC Document Reproduction Service ED 041 189)

This report explains the meaning of procedural due process. In addition it discusses: (1) the legal relationship between the student and the institution; (2) the present state of disciplinary procedures; (3) methods for initiating an adjudicatory system; (4) a rationale for the positions taken.

Floyd, Harold William. "A study of student rights and school authority with regard to long-term suspensions." Specialist in Education thesis, New Mexico State University, 1972. (ERIC Document Reproduction Service ED 067 179)

The specific objectives of this study were to survey the implementation at Las Cruces High School, New Mexico, of an appeal board through which students may appeal suspension recommendations of over 5 days; to review the issues behind the student rights movement; to define and evaluate the invariant structure of authority in the school; to evaluate the attitudes of students, parents, and teachers regarding the "new due process"; and to establish or disestablish validity for the hearing board.

ygare, Thomas J. Administrative and Judicial Remedies for Students: The Matter of Short-Term Suspensions. Topeka, KS: National Organization on Legal Problems of Education, 1974. (ERIC Document Reproduction Service ED 090 638)

The approach taken is to examine the constitutional arguments under due process available to students in short-term suspension cases and the method by which the courts analyze these arguments, and to review recent suspension cases in an effort to identify the specific elements of procedural due process that must -- or should -- be provided prior to short-term suspensions. (Author)

ygare, Thomas J. "Short-term student suspensions and the requirements of due process." Journal of Law and Education 3 (October 1974): 529-555.

Examines the procedural due process challenge to short-term suspensions. (Author)

asser, Ira and Alan H. Levine. "Bringing student rights to New York City's school system." Journal of Law and Education 1 (April 1972): 213-229.

This article discusses the lack of due process procedures and their implications in the New York schools in 1968 and 1969 and describes the student rights handbook which resulted from the pressure applied by parents and community organizations. Notes student powerlessness because of lack of organization.

ttesman, Roberta. "Due process: are we going too far?" Topeka, KS: National Organization on Legal Problems of Education, 1974. (ERIC Document Reproduction Service ED 090 627)

School authorities will have to yield some of their discretionary power in disciplining students in cases that merit a hearing. What must be aimed at is a more equitable balancing of the interests of all the parties involved. The interests of the school, the teacher, and the student must be weighed carefully before determining whether due process has gone too far. (Author)

chinger, Fred M. "Due process for the unruly student." Saturday Review 2 (April 1975): 44-45

A revolutionary concept -- a bill of rights for school children -- is being heatedly debated within the teaching establishment.

Katz, John W. "The opportunity to be heard in public school disciplinary hearings." Urban Education 4 (January 1970): 292-309.

Argues that due processes of law such as prior notice, an impartial tribunal, burden of proof, duty to produce evidence, right to counsel, and cross examination should be applied to student court hearings.

Larson, A. William. "Making student rights and responsibilities meaningful." Paper presented at American Association of School Administrators annual convention (106th, Atlantic City, New Jersey, February 22-26, 1974). (ERIC Document Reproduction Service ED 087 129)

Sensitive, forward-looking school administrators should seize the day to eliminate a potential cause of future disruptions, with attendant confrontation politics, by establishing procedural due process -- PDP for students -- to give real meaning to the professed commitment to the rights embraced in substantive due process. (Author)

Mallios, Harry C. "The emerging law of due process for public school students." High School Journal 57 (November 1973): 83-90.

The central theme of this discussion deals with the legal aspect and increasing prominence of due process of law as it relates to the rights of students in public schools. (Author)

Nolte, M. Chester. "Due process and its historical development in education." Paper presented at National Academy of School Administrators Seminar (Denver, Colorado, April 1-5, 1974). (ERIC Document Reproduction Service ED 088 186)

The author traces the historical development of the due process concept, and discusses cases where due process has affected the rights of those involved in the educational process. The most pressing problems coming up which involve due process of law are of two varieties: (1) those in which students claim lack of due process where punishments and expulsions are involved; and (2) those in which the classification system used by schools to group children for instructional and other purposes are being challenged. (Author)

Nolte, M. Chester. "Due process: where it's taking boards and how yours can get there safely." American School Board Journal 159 (December 1971): 34-36.

Discusses rights inherent in the Fourteenth Amendment and lists procedures for administrative hearing.

Phay, Robert E. Suspension and Expulsion of Public School Students. Topeka, KS: National Organization on Legal Problems of Education, 1971. (ERIC Document Reproduction Service ED 048 672)

The author considers the traditional elements of procedural due process and concludes that to comply with the minimum requirements of procedural due process administrators must (1) give the student adequate notice of the grounds of the charges and the nature of evidence against him, (2) conduct a hearing (unless the student waives it), and (3) take action only if it is warranted by the evidence. The author recommends that administrators develop written policies on student conduct, outline procedures for handling discipline cases, provide grievance procedures for students and faculty, and detail emergency plans to deal with school disorders. (Author)

Ritchie, Richard M. "Due process and the principal." Phi Delta Kappan 54 (June 1973): 697-698.

A review of due process court cases with resultant suggestions that policies and procedures for handling student-school conflicts be non-adversary in nature and that due process procedures be followed in serious cases of disruption.

Ruhala, Richard J. "Due process or don't let your district get caught on the losing end of a lawsuit." American School Board Journal 161 (July 1974): 23-25.

Examines the background of due process as it relates to school discipline, as well as several recent court decisions involving this point of law. (Author)

Stein, Ronald H. "The nature of temporary suspension," NASPA Journal 11 (Winter 1974): 16-23.

Discusses the conditions which must exist prior to the justifiable use of a temporary suspension. Examines three court cases in which its limits were defined and discusses some problems which have not yet been resolved.

Voelz, Stephen J. "Expulsion laws confront due process in federal courts." NASSP Bulletin 55 (February 1971): 28-36.

Summary of present state law and legal precedent on public school dismissal procedures. Revisions of procedures to ensure safeguarding of due process are suggested to school authorities where state law and precedent are inadequate or absent.

POLICY MAKING GUIDES

Dissent and Disruption in the Schools: A Handbook for School Administrators. Dayton, OH: Institute for Development of Educational Activities, 1969. (ERIC Document Reproduction Service ED 047 356)

This report contains proposals by educators for dealing with student dissension and includes accounts of actual disruptions that were satisfactorily resolved. The far-reaching social implications of some of the problems involved necessitated that this handbook incorporate practical recommendations and avoid the philosophical aspects of a larger social problem. The report discusses (1) indicators of potential student unrest; (2) emergency procedures for coping with disturbances, disorders, or demonstrations; (3) administrative procedure statements for dealing with student demonstrators; and (4) emergency school board measures. (Author)

Doty, Ralph R. Pupil Expulsion. A Study of Selected Legal Aspects and Their Application in Minnesota. Duluth: Educational Research and Development Council of Northeast Minnesota, 1968. (ERIC Document Reproduction Service ED 024 961)

A guide to help Minnesota school administrators deal with student expulsion, discussing two general areas in which expulsion may be justified.

Hazard, William R. "Courts in the saddle: school boards out." Phi Delta Kappan 56 (December 1974): 259-261.

A review of court decisions reveals that educational policy is being increasingly influenced by law and that the control of local boards of education is decreasing. Federal, state, and local court opinions are creating "court-made policy."

Herman, Jerry. "Students' rights -- a program that works." Clearing House 48 (September 1973): 54-58.

Article deals with some positive actions that have been taken by the staff, administration, and board of education of Lewiston-Porter Central School of Youngstown, New York in regard to student involvement in the planning process. Specific methods of student involvement were briefly outlined. (Author)

Jacob, George F. and James P. Richter. "Student rights require a model for change." NASSP Bulletin 58 (February 1974): 41-48.

Article describes a procedure to protect student rights and improve the process of identifying students' social, emotional, or learning problems.

Johnson, Donald V. "Student disciplinary codes -- what makes them tick." Paper presented at National Association of Secondary School Principals annual conference (57th, Dallas, Texas, February 2-7, 1973). (ERIC Document Reproduction Service ED 078 579)

The author describes how one school developed discipline guidelines with the cooperation of staff, parents, and students.

Kirp, David L. and Mark G. Yudof. Educational Policy and the Law: Cases and Materials. Berkeley, CA: McCutchan, 1964.

Examines emerging school law and attempts to assess its impact on American schooling policy and practice.

Ladd, Edward T. "Civil liberties for students -- at what age?" Journal of Law and Education 3 (April 1974): 251-262.

The very young are in a nearly rightless condition, and the distance from that situation to the rights-endowed state of being an adult is a long one. Discusses how schools should organize the journey. (Author)

LaMorte, Michael W. "The Fourteenth Amendment: its significance for public school educators." Educational Administration Quarterly 10 (August 1974): 1-19.

Court decisions on educational issues are often based on an interpretation of the due process or equal protection clauses of the Fourteenth Amendment. This paper provides educators with a better understanding of the continuing development of this important amendment. (Author)

Mandel, Richard L. "Student rights, legal principles, and educational policy." Intellect 103 (January 1975): 236-239.

Article discusses the nature of judicial reasoning which provided a foundation for current court decisions supporting student rights and described the impact of judicial reasoning upon educational policy. (Author)

"One school board's policy on student dissent." School Management 13 (August 1969): 43-44.

A policy which allows student expression but puts restraints on both students and administrators and makes them responsible to each other.

Parnell, Dale. Minimum Standards for Student Conduct and Discipline, Including Suggested Guidelines and Model Codes. Salem: Oregon State Board of Education, 1972. (ERIC Document Reproduction Service ED 064 795)

The guidelines and codes in this booklet were written to assist teachers and administrators strengthen their positions in times of legal and social confusion and in the face of challenges to administrative and staff authority. (Author)

Phay, Robert E. and Jasper L. Cummings, Jr. Student Suspensions and Expulsions. Proposed School Board Codes Prohibiting Serious Student Misconduct and Establishing Procedures for Dealing with Alleged Violations. Chapel Hill: North Carolina University, Institute of Government, 1970. (ERIC Document Reproduction Service ED 047 399)

This report contains proposed regulations of student conduct constituting serious misbehavior and includes written procedures for handling regulation violations. (Author)

Phay, Robert E. and Edward C. Winslow. "School board manual of policy and law; a procedure for codifying local board policies and regulations and collecting school law." School Law Bulletin 5 (April 1974): 1-5.

The only way to cope with the plethora of federal and state laws and regulations is to collect and categorize it in a systematic way and to integrate it with carefully developed local board policies and regulations on the major areas of school operation. Outlines a procedure for doing that job. (Author)

Principal's Advisory Council: Organizational Guidelines. Los Gatos, CA: Los Gatos Union School District, 1973. (ERIC Document Reproduction Service ED 102 645)

Guidelines for a secondary school principal's advisory council are presented. The organizational guidelines describe council membership, responsibilities, and procedures.

A Recommended Guide to Students' Rights and Responsibilities in Michigan. Lansing: Michigan Department of Education, 1974. (ERIC Document Reproduction Service ED 106 981)

These guidelines describe areas of concern as indicated by recent litigation, questions received from local school districts, and complaints received from parents and students.

Report of the Task Force on Suspensions and Expulsions. Baton Rouge: Louisiana State Department of Education, Bureau of Technical Assistance, 1975. (ERIC Document Reproduction Service ED 105 056)

The Task Force subcommittee on Due Process developed a "Due Process Clause" which is submitted as a substitute for the existing statute through enactment by the Legislature. Also the subcommittee developed a Handbook of Policies and Procedures to serve as a model of due process which allows local school systems to insert specific delineations of local requirements they might wish to include. (Author)

School Board Policies on School Safety and Security. Evanston, IL: National School Boards Association, 1973. (ERIC Document Reproduction Service ED 082 315)

This report provides board policy samples and other policy resources on school safety and security. The intent in providing policy samples is to encourage thinking in policy terms and to provide working papers that can be edited, modified, or adapted to meet local requirements. Includes a section on policies regarding student demonstrations. (Author)

School Board Policies on Student Rights. Educational Policies Development Kit. Waterford, CT: National School Boards Association, 1973. (ERIC Document Reproduction Service ED 073 549)

This report provides board policy samples and other policy resources on student rights and responsibilities. Topics covered in the samples include freedom of expression, student involvement in decision making, due process rights, interrogations and searches by school officials and/or police, student complaints, grievances and hearing procedures, and student demonstrations and strikes. (Author)

Standards and Guidelines for Providing Due Process of Law to the South Dakota Student. Pierre, SD: South Dakota State Division of Elementary and Secondary Education, 1974. (ERIC Document Reproduction Service ED 097 774)

The South Dakota State Board of Education, after a year's study and deliberation, adopted a resolution defining the minimal standards for procedural due process guaranteed a public school student when he is suspended or expelled from school. The report describes the historical and constitutional foundations of the concept of due process and provides guidelines for applying the concept. (Author)

Thorum, Reho F. "Codifying student rights and responsibilities." NASSP Bulletin 59 (January 1975): 9-13.

Many states and large city school districts have developed codes outlining student rights and responsibilities in an all-out effort to avoid legal entanglements. This article explains the assumptions and definitions upon which standards have been established.

Winston, Sheldon. "Expulsions and due process." Phi Delta Kappan 54 (June 1973): 699.

A statement of policy which emphasizes due process but focuses discussion on the expulsion itself. (Author)

STUDENT RECORDS

Brannon, Joan. "Access to student records: Family Educational Rights and Privacy Act of 1974." School Law Bulletin 5 (October 1974): 1, 3-5.

Explains the new obligations imposed on school officials by federal legislation on student records reflected in this bill under the Education Amendments of 1974. (Author)

Butler, Henry E., et al. "Legal aspects of student records." School Psychology Digest 3 (Winter 1974): 31-43.

A new system of recordkeeping, separating information depending upon the degree of confidentiality is proposed. (Author)

The Changing Age of Majority, a Legal Memorandum. Washington, DC: National Association of Secondary School Principals, 1974. (ERIC Document Reproduction Service ED 099 996)

Since 1970, 42 states have lowered the age of majority to 18 or 19 for most purposes. The new statutes will have wide impact on legal affairs. Among other things, adult students will have the right to view their school records and to prevent their parents from viewing many of them. In most cases school administrators will no longer be able to require parental consent or permission forms for students past the age of majority.

Chase, Dennis. "No more 'brats' or 'bastards.'" Nation's Schools and Colleges 2 (January 1975): 27-30, 32.

Administrators are scurrying to keep up with changes brought about by the Buckley Amendment that opened confidential student records.

Guidelines for the Collection, Maintenance, and Release of Pupil Records. St. Paul: Minnesota State Department of Education, 1974. (ERIC Document Reproduction Service ED 102 699)

The Minnesota State Department of Education has analyzed the issues related to pupil records, defined these issues, and established guidelines that will assist school boards and administrators in the formulation of school policies regarding pupil records. Because law undergoes change and interpretation, this publication should serve only as a guide rather than as a definitive statement of the law on pupil records. (Author)

"Has the new federal privacy law made your student records policies obsolete?" Updating School Board Policies 5 (November 1974): 1, 4.

School boards might wish to check their present policies on student records for compliance with the provisions of "The Family Education Rights and Privacy Act of 1974." Once parents learn about it from the media, principals could be faced with a flood of requests to see their children's records. (Author)

Kavina, George. "Guidelines to better pupil record keeping." Phi Delta Kappan 56 (March 1975): 492.

Recommendations of a general nature for improving current pupil recordkeeping procedures in order to facilitate conformation with the Family Educational Rights and Privacy Act of 1974.

Privacy Rights of Parents and Students. Washington, DC: Department of Health, Education, and Welfare, Office of the Secretary, 1975. (ERIC Document Reproduction Service ED 099 993)

This portion of the "Federal Register" states the proposed requirements of section 438 of the General Education Provisions Act which deals with the privacy rights of parents and students.

Putnam, John F. Student/Pupil Accounting: Standard Terminology and Guide for Managing Student Data in Elementary and Secondary Schools, Community/Junior Colleges, and Adult Education. Washington, DC: National Center for Education Statistics, 1974. (ERIC Document Reproduction Service ED 102 678)

This handbook's fundamental purpose is to provide terms and definitions for the data and information educators use in student services. It identifies concepts used in decision-making, provides standardized terms and definitions, classifies the terms, provides guidelines for developing and managing student records, and recommends the development of policies to safeguard confidentiality. (Author)

Rioux, J. William and Stuart A. Sandow. Children, Parents and School Records. Columbia, MD: National Committee for Citizens in Education, 1974.

The authors express the concern that the school recordkeeping system is presently loose, unsupervised, and often unclear. Includes a state-by-state analysis of legislative and regulatory provisions concerning student records. Case histories provide examples of some of the difficulties that might arise when the right to privacy is not protected. (Author)

Wilson, Charles M. and Robert Olds. Student Records: How to Prepare and Manage Them. Westerville, OH: School Management Institute, 1975. (ERIC Document Reproduction Service ED 104 024)

This booklet discusses the Family Educational Rights and Privacy Act of 1974 and its implications for teachers, administrators, and other school personnel. The authors examine in detail particular provisions of the act and offer numerous guidelines for maintaining and utilizing student records in compliance with the act.